

Michael Hassett
Jonathan Finke
JONES & CANNON,
a professional corporation
440 North Center
Arlington, Texas 76011
(817) 265-0440
(817) 265-1440 (fax)
ATTORNEYS FOR WESTWORTH REDEVELOPMENT AUTHORITY

**United States Bankruptcy Court
Eastern District of Texas
Sherman Division**

In Re:	§	
	§	
Allegiance Hawks Creek	§	
Commercial, L.P., and	§	case no. 10-43853-btr
Allegiance Commercial Development, L.P.,	§	case no. 10-43855
	§	Jointly Administered
debtors.	§	
	§	chapter 11

Westworth Redevelopment Authority's Motion for Continuance

Westworth Redevelopment Authority (“**WRA**”) files this motion for continuance of the hearing on the motion for authority to assign the WRA Agreement and assume and assign the Sonic lease and the motion for authority to assign the WRA Agreement and assume and assign the L.A. Fitness lease (the “**Motions**”), filed by Allegiance Commercial Development, L.P. (“**ACD**”) and Allegiance Hawks Creek Commercial, L.P. (“**AHCC**”) (collectively, “**Debtors**”).

I.

The Motions are presently set for hearing on April 29, 2011, beginning at 9:30 a.m.

II.

On April 7, 2011, Debtors filed the Motions, asking the court for specific relief under the Bankruptcy Code relating to multiple ground leases between Debtors and WRA. Subsequently, on April 19, 2011, Debtors filed a motion to dismiss its Chapter 11 case (the “**Motion to Dismiss**”), citing cash collateral issues and ongoing discussions with Legacy Bank relating to the

ground leases. Debtors state in the Motion to Dismiss that they have agreed with Legacy Bank and the U.S. Trustee to dismiss the case.

WRA asserts that the hearing on the Motions prior to a hearing on the Motion to Dismiss would subject the parties unnecessary costs and would not be an efficient use of the court's time. Further, because Debtors have already agreed to move to dismiss the case, WRA believes that Debtors are attempting to use the Bankruptcy Code in order to seek relief only offered by the Bankruptcy Code, as such relief would not be available to them outside the jurisdiction of this court.

The court should hear the Motion to Dismiss before any other action is taken in this matter. Accordingly, WRA files this motion asking the court to continue the hearing setting on the Motions until May 23, 2011, at the earliest.

Prayer

WRA respectfully requests that this court enter an order continuing the hearing on the Motions until after the hearing on the Motion for Dismissal scheduled for May 23, 2011.

Respectfully submitted,

JONES & CANNON,
a professional corporation

by: \s\ Michael Hassett
Michael Hassett
Texas Bar No. 00796722

Jonathan H. Finke
Texas Bar No. 24059749

440 North Center
Arlington, Texas 76011
(817) metro 265-0440
telecopier (817) 265-1440

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REDEVELOPMENT AUTHORITY

Certificate of Service

The undersigned certifies that a true and correct photocopy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause in accordance with Rule 21a, Texas Rules of Civil Procedure, on this 25th day of April, 2011.

\s\ Michael Hassett

Certificate of Conference

A conference was held with Mr. Jason Katz on April 25, 2011, concerning the merits of this motion. This motion was opposed.

\s\ Michael Hassett